

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NUMBER _____
v.	:	VIOLATION
		18 U.S.C. § 371 (conspiracy - 1 count)
GEORGE SUSINI	:	18 U.S.C. § 1343 (wire fraud - 1 count)
		18 U.S.C. § 666 (theft of federal program
	:	funds - 1 count)
		18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. The National Railroad Passenger Corporation (“Amtrak”) was a government-owned corporation that was created by Congress in 1970 to provide national rail service.
2. “Dollars On The Net, ” was internet-based company which provided computer services such as database administration, database backups, hardware maintenance, software maintenance and other management duties. The company also performed “intermediary services” such as processing credit card purchases and refunds between vendors and national credit card companies.
3. Amtrak had a contract with “Dollars-On-The-Net” for processing credit card debits and credits. The addition of credits to a cardholder’s credit card gave the card holder

the ability to use the credits to make additional purchases.

4. Defendant GEORGE SUSINI was a computer consultant who performed maintenance on Amtrak's computer system in Philadelphia, Pennsylvania.

5. From on or about March 26, 2003 to on or about November 24, 2004, defendant

GEORGE SUSINI

conspired and agreed with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly execute a wire fraud in violation of Title 18, United States Code, Section 1343.

MANNER AND MEANS

It was part of the conspiracy that:

6. During the years 2003 and 2004, defendant GEORGE SUSINI and Douglas Thompson, charged elsewhere, developed and executed a scheme to fraudulently add credits to their credit card accounts which were posted as refunds from Amtrak.

7. Defendant GEORGE SUSINI and Douglas Thompson sent false electronic signals to Dollars-On-The Net which prompted Dollars-On-The Net's computer system to transfer funds, in the form of credits, from Amtrak's account, onto the credit cards of defendant GEORGE SUSINI and Douglas Thompson.

9. By this scheme, defendant GEORGE SUSINI fraudulently took approximately \$72,487 from Amtrak.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendant GEORGE SUSINI, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere.

10. On the dates below, defendant GEORGE SUSINI had the amounts listed below transferred from Amtrak's accounts to his credit card account which ends in the number 5040:

Overt Acts	Date of Wire Transmission	Amtrak Account Defrauded	Value of Unauthorized credits
#1	3/26/2003	Amtrak Revenue Account 800872745	\$1,756.00
#2	3/26/2003	Amtrak Revenue Account 800872745	\$3,356.00
#3	4/2/3003	Amtrak Revenue Account 800872745	\$2,795.00
#4	5/7/2003	Amtrak Revenue Account - Philadelphia	\$3,295.00
#5	5/16/2003	Amtrak Revenue Account - Philadelphia	\$2,735.00
#6	6/13/2003	Amtrak Revenue Account - Philadelphia	\$2,995.00
#7	8/7/2003	Amtrak Revenue Account - Philadelphia	\$3,895.00
#8	11/18/2003	Amtrak ACSII-Philadelphia, PA	\$3,250.00
#9	11/29/2003	Amtrak ACSII-Philadelphia, PA	\$3,395.00
#10	12/20/2003	Amtrak ACSII-Philadelphia, PA	\$3,255.00
#11	1/3/2004	Amtrak ACSII-Philadelphia, PA	\$2,263.00

#12	1/8/2004	Amtrak ACSII-Philadelphia, PA	\$3,235.00
#13	1/23/2004	Amtrak ACSII-Philadelphia, PA	\$2,765.00
#14	3/6/2004	Amtrak ACSII-Philadelphia, PA	\$2,256.00
#15	3/13/2004	Amtrak ACSII-Philadelphia, PA	\$2,950.00
#16	4/16/2004	Amtrak ACSII-Philadelphia, PA	\$3,375.00
#17	5/1/2004	Amtrak ACSII-Philadelphia, PA	\$2,756.00
#18	5/11/2004	Amtrak ACSII-Philadelphia, PA	\$3,375.00
#19	6/23/2004	Amtrak On Board State (1-800-USA-RAIPA	\$2,550.00
#20	7/14/2004	Amtrak On Board State (1-800-USA-RAIPA	\$2,985.00
#21	7/21/2004	Amtrak On Board State (1-800-USA-RAIPA	\$3,193.00
#22	8/25/2004	Amtrak On Board State (1-800-USA-RAIPA	\$3,375.00
#23	9/29/2004	Amtrak On Board State (1-800-USA-RAIPA	\$3,335.00
#24	11/24/2004	Amtrak On Board State (1-800-USA-RAIPA	\$3,356.00

All in violation Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 of Count One of this indictment are incorporated here.

THE SCHEME

2. From on or about March 26, 2003 through on or about November 24, 2004, in the Eastern District of Pennsylvania and elsewhere, defendant

GEORGE SUSINI

devised and intended to devise a scheme to defraud Amtrak and obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

3. Defendant GEORGE SUSINI used Amtrak's financial accounting system to intentionally misappropriate credits which belonged to Amtrak and have credits added to his credit card account.

4. Between on or about March 26, 2003, and on or about November 24, 2004, defendant GEORGE SUSINI and Douglas Thompson caused the transfer of approximately \$72,487 to defendant GEORGE SUSINI's credit card account from Amtrak's accounts through approximately 24 wire transactions.

5. On or about November 24, 2004 in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

GEORGE SUSINI,

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, caused to be transmitted by means of wire communication in interstate commerce signals and sounds relating to a wire transmission from Philadelphia, Pennsylvania to Louisville, Kentucky causing the fraudulent transfer of approximately \$3,356 from Amtrak's accounts to defendant GEORGE SUSINI's credit card account.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraph 1 through 4 of Count One are incorporated here.
2. Amtrak constituted an organization which received annual benefits in excess of \$10,000 in calendar years 2003 through 2004 under a federal program involving a grant, contract, subsidy, loan, guarantee, and other form of federal assistance, in connection with the nationwide rail system.
3. Douglas Thompson, charged elsewhere, was an employee of Amtrak and as such was its agent.
4. Between on or about March 26, 2003 and on or about November 24, 2004, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

GEORGE SUSINI,

aided and abetted Douglas Thompson, an agent of Amtrak, in embezzling, stealing, and otherwise obtaining by fraud, and converting to the use of any person other than the rightful owner and intentionally misapplying, property valued at \$5,000 or more, that is, credits which were the property of Amtrak in the amount of approximately \$72,487 which was owned by and under the care, custody and control of Amtrak.

In violation of Title 18, United States Code, Sections 666(a)(1)(A) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343 as charged in this indictment, defendant

GEORGE SUSINI

shall forfeit to the United States any and all property, real or personal, involved in such offenses, or any property traceable to such property, including, but not limited to a sum of money equal to \$ 72,487.00 in United States Currency.

2. If any of the forfeitable property, as describe above, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court
- (d) has been substantially diminished in value;
- (e) has been commingled with other property which cannot be

divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described above.

In violation of Title 18, United States Code, Section 982 (a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

**LAURIE MAGID
UNITED STATES ATTORNEY**

